

LEGISLATIVE BILL 823

Approved by the Governor March 13, 2006

Introduced by Government, Military and Veterans Affairs Committee: Schimek, 27, Chairperson; Brown, 6; Burling, 33; Fischer, 43; Langemeier, 23; Mines, 18; Pahls, 31; Wehrbein, 2; and Stuthman, 22

AN ACT relating to fees; to amend section 33-106.02, Revised Statutes Supplement, 2005; to change fee disposition provisions for clerks of the district court; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 33-106.02, Revised Statutes Supplement, 2005, is amended to read:

33-106.02 (1) The clerk of the district court of each county shall not retain for his or her own use any fees, revenue, perquisites, or receipts, fixed, enumerated, or provided in this or any other section of the statutes of the State of Nebraska or any fees authorized by federal law to be collected or retained by a county official. The clerk shall on or before the fifteenth day of each month make a report to the county board, under oath, showing the different items of such fees, revenue, perquisites, or receipts received, from whom, at what time, and for what service, and the total amount received by such officer since the last report, and also the amount received for the current year.

(2) The clerk shall account for and pay any fees, revenue, perquisites, or receipts not later than the fifteenth day of the month following the calendar month in which such fees, revenue, perquisites, or receipts were received in the following manner:

(a) Of the forty-two-dollar docket fee imposed pursuant to section 33-106, five dollars shall be remitted to the State Treasurer for credit to the General Fund and two dollars shall be remitted to the State Treasurer for credit to the Nebraska Retirement Fund for Judges;

(b) Of the twenty-seven-dollar docket fee imposed for appeal of a criminal case to the district court pursuant to section 33-106, two dollars shall be remitted to the State Treasurer for credit to the Nebraska Retirement Fund for Judges; and

(c) The remaining fees, revenue, perquisites, or receipts shall be credited to the general fund of the county.

Sec. 2. Original section 33-106.02, Revised Statutes Supplement, 2005, is repealed.